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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/647,547	01/03/2001	Stefan Grinneby	197593US2PCT	8008

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OBLON, SPIVAK, MCCLELLAND, MAIER & NEUSTADT, P.C.  
1940 DUKE STREET  
ALEXANDRIA, VA 22314

EXAMINER

DINH, MINH

ART UNIT PAPER NUMBER

2132

DATE MAILED: 06/20/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/647,547

Applicant(s)

GRINNEBY, STEFAN

Examiner

Minh Dinh

Art Unit

2132

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 10 April 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-10,12-26,28-41 and 43-47 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-10,12-26,28-41 and 43-47 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 22 September 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.

- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## **DETAILED ACTION**

### ***Response to Amendment***

1. This action is in response to the amendment filed 04/10/2006. Claims 1, 5, 16, 20, 32 and 36 have been amended; claims 45-47 have been added.

### ***Response to Arguments***

2. Applicant's arguments with respect to claims 1, 16 and 32 have been considered but are not persuasive. Applicant's amendments have necessitated a new search and new grounds of rejection.

### ***Claim Rejections - 35 USC § 112***

3. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

4. Claims 1-10, 12-26, 28-41 and 43-47 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. Claim 1 recites the limitation "a

password protection unit adapted to authorize transmission of said electronic badge to the visitor's computer based on authentication of **a password**, and adapted to embed **the password** into the electronic badge". However, the specification originally filed does not disclose that the password provided by the user for authentication is used to generate the electronic badge, i.e., embedded into the electronic badge, as recited in the amended claim 1 and also stated by the Applicant in the Remark filed 04/10/2006 (page 15, 2<sup>nd</sup> full paragraph). The specification only discloses that first a host and a visitor agree on a password for the visitor, next the host uses the agreed password to generate the electronic badge which is stored at the host, and later the visitor provides his/her password to the host for authentication in order to retrieve the electronic badge (Specification, page 2, lines 2-5; page 9, lines 14-29; page 10, lines 11-22). Therefore, the limitation is considered new matter. Claims 16 and 32 are rejected on the same basis as claim 1. Claims that are not specifically addressed are rejected by virtue of their dependency.

5. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

6. Claims 16-26 and 28-31 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and

distinctly claim the subject matter which applicant regards as the invention. Claim 16 recites the limitation "said password" in line 6. There is insufficient antecedent basis for this limitation in the claim. For examination purposes, the limitation is interpreted as "a password". Claims that are not specifically addressed are rejected by virtue of their dependency.

***Claim Rejections - 35 USC § 102***

7. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

8. Claims 1, 16 and 32 are rejected under 35 U.S.C. 102(e) as being anticipated by Hudson et al. (6,055,637).

Regarding claim 1 being exemplary of claims 16 and 32, Hudson discloses a telecommunications system adapted to provide a visitor's computer with access to at least one application, comprising: an application computer storing at least one application (fig. 2, element 56; fig. 4A,

element 94); a firewall protecting said application computer (fig. 1, element 30; fig. 4A, element 96); an administration computer linked to said application computer (fig. 2, element 50; fig. 3, element 62), said administration computer adapted to generate an electronic badge, and adapted to transmit said electronic badge to the visitor's computer (fig. 4A, step 108), said electronic badge including a password conferring access of the visitor's computer through said firewall to said at least one application (col. 3, line 24 – col. 4, line 21); and a password protection unit adapted to authorize transmission of said electronic badge to the visitor's computer based on authentication of a password, and adapted to embed the password into the electronic badge (col. 2, line 56 – col. 3, line 7; fig. 4A, element 62; col. 5, lines 14-30).

***Claim Rejections - 35 USC § 103***

9. Claims 5, 20 and 36 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hudson as applied to claims 1, 16 and 32 above, and further in view of Riggins (6,766,454). Hudson discloses that the electronic badge comprises data identifying a visitor; the password in encrypted form; and a list of access rights to said at least one application (col. 3, line 24 – col. 4, line 21). Hudson does not disclose that the electronic badge is an applet. Riggins discloses implementing electronic badges as applets (fig. 5,

step 530; col. 4, lines 60-65; col. 6, line 66 – col. 7, line 7; col. 9, lines 5-20). It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the Hudson system such that the electronic badge is an applet, as taught by Riggins. An applet could be executed within a web browser on a client computer (col. 5, lines 24-32).

### ***Conclusion***

10. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Minh Dinh whose telephone number

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is 571-272-3802. The examiner can normally be reached on Mon-Fri:  
10:00am-6:30pm.

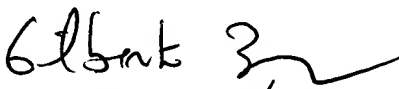
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gilberto Barron can be reached on 571-272-3799. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

MD

Minh Dinh  
Examiner  
Art Unit 2132

MD  
6/13/06

  
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